

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TERRENCE W. JONES,

Plaintiff,

v.

CITY OF RACINE POLICE
DEPARTMENT,

Defendant.

Case No. 19-CV-884-JPS

ORDER

On June 14, 2019, Plaintiff filed this action *pro se* alleging employment discrimination. (Docket #1). Plaintiff also filed a motion to proceed *in forma pauperis*. (Docket #2). In order to allow a plaintiff to proceed without prepaying the filing fee, the Court must first decide whether the plaintiff has the ability to pay the filing fee and, if not, whether the lawsuit is frivolous, malicious, or fails to state a viable claim for relief. 28 U.S.C. §§ 1915(a), (e)(2)(B)(I).

On the first question, Plaintiff avers that earns \$6,300 per month and expends only about \$5,200 per month. (Docket #2). He also has \$5,000 in savings. *Id.* The standard for proceeding *in forma pauperis* is whether the plaintiff would be unable “to provide himself . . . with the necessities of life” if required to pay the \$400.00 filing fee. *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948); *Brewster v. N. Am. Van Lines, Inc.*, 461 F.2d 649, 651 (7th Cir. 1972). Plaintiff comes nowhere close to meeting this standard; he can easily afford the fee.

Plaintiff will be required to pay the full filing fee owed in this matter on or before **July 8, 2019**. If he fails to do so, this action will be dismissed without prejudice.

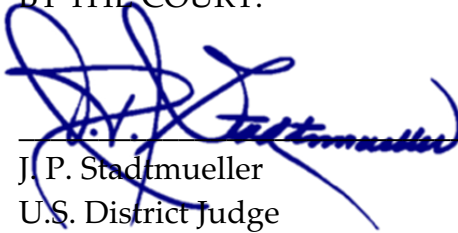
Accordingly,

IT IS ORDERED that Plaintiff's motion to *proceed in forma pauperis* (Docket #2) be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that Plaintiff shall pay the full filing fee he owes in this matter on or before **July 8, 2019**.

Dated at Milwaukee, Wisconsin, this 24th day of June, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge